

*v. jae*  
ORIGINAL

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FILED IN THE  
 UNITED STATES DISTRICT COURT  
 DISTRICT OF HAWAII

ATTORNEY FOR DEFENDANT

MAR 28 2006  
 at 3 o'clock and 30 min M  
 SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00319 DAE
	)	
Plaintiff,	)	SENTENCING STATEMENT OF
vs.	)	DEFENDANT KAR YIN LEUNG and
	)	CERTIFICATE OF SERVICE
KAR YIN LEUNG, (02)	)	DATE: 5/23/06
Defendant.	)	TIME: 9:00 a.m.
	)	JUDGE: David Alan Ezra

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SENTENCING STATEMENT OF DEFENDANT KAR YIN LEUNG

COMES NOW KAR YIN LEUNG, Defendant, by and through his attorney, KEITH S. SHIGETOMI, and hereby submits the following sentencing statement. References are made to the sections or paragraph numbers contained in the draft presentence investigation report (Draft PSIR).

Identifying Data

The identifying data section states that Leung has other social security numbers. Leung is unaware of those numbers or how they were attributed to him.

Paragraph 16

The vehicle being driven by Leung was a Mercedes Benz CLK 320 and was owned by Leung's brother.

Paragraph 27

The date of parcel's arrival should be July 19, 2005.

SCANNED

Paragraph 39

Kar Yin Leung submits that he had a mitigating role in this case and that pursuant to U.S.S.G. §3B1.2 he is entitled to a decrease of her offense level.

Leung submits that he was a minor participant in the criminal activity. The leader of the activities was Toan Thanh Huynh. Co-defendant Dennis Tse confirmed that Huynh recruited Tse to assist in the activities. See Paragraph 24. Tse related that Huynh would call Tse to inform Tse that a parcel would arrive. Paragraph 26. Leung would pick up the parcel from Tse and Tse would be paid with money from Huynh. Paragraph 26.

Leung submits that he was a minor participant and entitled to a decrease of his offense level of two levels.

Paragraphs 44, 46, 73

It is submitted that due to Kar Yin Leung's mitigating role in this case, paragraphs 44, 46 and 73 should be adjusted to reflect the adjustment.

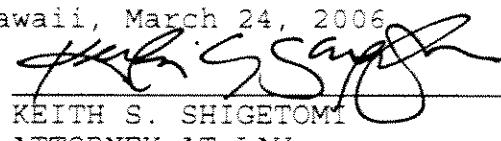
Paragraph 53

Leung was arrested for Attempted Murder in the Second Degree but was never charged. The arrest was expunged.

Paragraph 54

Jia Ping is Leung's older brother.

DATED: Honolulu, Hawaii, March 24, 2006

  
KEITH S. SHIGETOMI  
ATTORNEY AT LAW

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document will be served upon the following parties by:

[ ] Personal service  
[X] Mailing postage prepaid  
[ ] Placing in court jacket of party

Parties:

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U.S. Probation Officer  
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DATED: Honolulu, Hawaii, 3/24/06

